

REMARKS

Summary of the Office Action

The specification is objected to.

Claim 3 is objected to because of informalities.

Claims 1-6, 9-11 and 13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1, 3, 5, 11 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. US 2002/0003576 to Konishi et al. ("Konishi").

Claims 12 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,353,885 to Herzi et al. ("Herzi").

Claims 4 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Konishi in view of U.S. Patent No. 6,088,802 to Bialick et al. ("Bialick").

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Konishi in view of U.S. Patent Application Publication No. US 2003/0174167 to Poo et al. ("Poo").

Claims 2 and 6 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Applicants have amended claims 1, 3-6 and 9-14.

Applicants have canceled claim 2.

Claims 1, 3-6 and 9-14 are pending.

Matters of Form

Before turning to the merits of the Office Action, Applicants note that the PTO Form 1449 attached to the Office Action, which Applicants originally submitted with an Information Disclosure Statement on June 24, 2005, has been annotated with a line through each cited reference. In this regard, the Office Action does not provide an explanation for the annotation. Applicants submit that the relevance of each cited reference is provided in the International Search Report dated December 16, 2003, a copy of which was filed on April 26, 2005. Applicants respectfully request that the Examiner evidence consideration of each cited reference by initialing the same, and return a copy of the initialed PTO Form 1449 to Applicants in a next Office Communication.

The specification is objected to because the material starting at page 3, line 10, and ending on page 7, line 15, allegedly appears to be essentially a verbatim repetition of the claims. Applicants respectfully traverse the objection. In this regard, Applicants submit that the cited portion of Applicants' specification does not merely repeat the claims verbatim, rather the cited section also includes respective follow on descriptions of actions and/or effects to apprise the public of the nature of the invention. Regardless of the follow on descriptions of actions and/or effects, Applicants' Summary of the Invention is consistent with the subject matter of the claims, as required by MPEP 608.01(d). Applicants request that the objection be withdrawn.

Claim 3 is objected to because of informalities. Applicants have amended claim 3 to address the Examiners concerns described at page 2 of the Office Action. Withdrawal of the objection to claim 3 is respectfully requested.

All Claims Define Allowable Subject Matter

Claims 1-6, 9-11 and 13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended the claims to address the Examiner's concerns described at pages 2-4 of the Office Action. Applicants request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1, 3, 5, 11 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Konishi. Claims 4 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Konishi in view of Bialick. Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Konishi in view of Poo. Applicants respectfully traverse the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a).

The Office Action indicates that claim 2 recites allowable subject matter. Applicants have amended claims 1, 11 and 13 to include allowable features of claim 2. In particular, claim 1 recites "wherein the pseudo recognition unit returns an absence signal representing an absence of media at least once, and then returns a presence signal representing a presence of the media in response to an inquiry signal inquiring a presence of media repeated via the universal peripheral device interface to allow the automatic startup script to be automatically executed by the computer." Support for claims 1, 11 and 13 is provided at, for example, page 8, lines 23-26;

page 9, line 28 - page 10, line 4; page 11, lines 17-20; page 12, lines 6-8; page 12, line 25 - page 13, line 15; Fig. 1; and original claim 2.

Moreover, for the purpose of further differentiation from Konishi, claim 1 has been amended to differentiate the claimed "automatic startup script" from the USB driver 119a/ ATA driver 119b disclosed in Fig. 28 and paragraph 135 of Konishi. In amended claim 1, "an automatic startup script" is "stored in an area recognizable as a specified type of device within the ROM or the read-writable memory" and an issuance of a "presence signal . . . allow(s) the automatic startup script to be automatically executed by the computer," so that from the user's perspective, upon connecting the removable device to a host PC computer, a desired program described in the automatic startup script is automatically executed without the user's manual operation. In contrast, in Konishi, although neither taught nor suggested, even if a certain startup script may be stored in the recording medium 121 or 122 in the MPEG video camera apparatus 11, such startup script needs to be located and executed manually by the user as in the prior art described in Applicants' specification at page 2, line 28 - page 3, line 4, because in Konishi, the video camera apparatus 11 corresponding to the removable device of the present invention emulates "an ATA hard disk device" (paragraph 135 of Konishi).

Claims 3-6, 9 and 10 depend from claim 1 and recite the same combination of allowable features recited in claim 1 as well as additional features that define over the applied art. Claims 11 and 13 have also been amended to include similar features as discussed above with regard to claim 1. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b), of claims 1, 3, 5, 11 and 13, and the rejection under 35 U.S.C. § 103(a), of claims 4, 9 and 10, be withdrawn.

Claims 12 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,353,885 to Herzi et al. ("Herzi"). Applicants respectfully traverse the rejection under 35 U.S.C. § 102(b). Applicants have amended claims 12 and 14 to provide a different recitation relating to Applicants' invention. Support for claims 12 and 14 is provided at, for example, page 18, line 16 – page 19, line 5, of Applicants' specification.

Claim 12 has been amended to further differentiate the claimed "boot information" from the BIOS level settings saved on the smart card 28, disclosed in Fig. 1 and col. 4, lines 21-51 of Herzi. In amended claim 12, the "boot information" is stored "in an area recognizable as a flexible disk drive within the ROM or the read-writable memory," and is "used for starting an operating system of the computer bootable via the flexible disk drive" to "automatically boot the computer . . . upon turning on the computer," so that users can automatically start up a desired BIOS and Operating System level environment upon attaching the removable device to the PC, even if the PC mounts a different BIOS and OS, because the area recognizable as a flexible disk drive in which the boot information is stored is prioritized in booting the computer over other type of devices such as internal ROM and external memory devices.

In contrast in Herzi discloses that the BIOS level settings on the smart card 28 are read out via the smart card reader 24 to the processor 12 to perform an updating of the BIOS level settings of the at least one BIOS configurable device 22 of the processor 12 (col. 4, lines 4-9). Accordingly, Applicants submit that Herzi does not discloses an automatic booting of the computer from the removable device without any kind of a user's operations.

Claim 14 has also been amended to include similar features as discussed above with regard to claim 12. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b), of claims 12 and 14, be withdrawn, and the claims allowed.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.


EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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